

## Message Text

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ACTION IO-13

INFO OCT-01 ISO-00 L-03 AF-10 ARA-06 EA-07 EUR-12  
NEA-10 SS-15 NSC-05 SP-02 H-01 PM-04 DODE-00  
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-----190156Z 073859 /66

P 182338Z MAY 77  
FM USMISSION USUN NEW YORK  
TO SECSTATE WASHDC PRIORITY 3666

C O N F I D E N T I A L SECTION 1 OF 3 USUN 1576

E.O. 11652: GDS  
TAGS: PFOR , MARR, UR  
SUBJECT: PEACEKEEPING OPERATIONS WORKING GROUP

REF: USUN 1429

1. BEGIN SUMMARY: AS REPORTED IN REFTEL AND PREVIOUS MESSAGES, THE PEACEKEEPING OPERATIONS WG MET DURING THE WEEK OF MAY 2-6 TO DISCUSS DRAFT FORMULAS FOR PEACEKEEPING GUIDELINES, UN DOCUMENT A/31/337, 23 NOVEMBER 1976. PROPOSALS FOR DRAFT GUIDELINES OF ARTICLES 5-13 DISCUSSED BY WG PRODUCED A MELDING OF EXISTING ALTERNATIVE FORMULAS WITH MAJOR DIFFERENCES STILL OUTSTANDING BUT PLACED IN BRACKETS. (ARTICLES 1-4 WERE NOT DISCUSSED FURTHER THIS SESSION.) KEY TO REAL MOVEMENT ON THESE PROPOSALS DEPENDS UPON DEGREE OF FLEXIBILITY BY SOVIET DELEGATION. SOVIET CONDUCT AT MOST RECENT ROUND INDICATES THEY MAY BE PREPARED TO BE SOMEWHAT FLEXIBLE. DRAFT PROPOSALS FOR ARTICLES 5-13 ARE REPRODUCED IN PARA 2. SUGGESTED POSITIONS FOR US AND OTHER WESTERN MEMBERS ARE PRESENTED IN PARA 3. END SUMMARY.

2. QUOTE

ARTICLE 5  
THE SECURITY COUNCIL MAY DELEGATE RESPONSIBILITIES TO, OR SEEK  
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ADVISE AND ASSISTANCE FROM, THE MILITARY STAFF COMMITTEE ESTABLISHED IN ACCORDANCE WITH ARTICLE 47 OF THE CHARTER OF THE UNITED NATIONS. THE COMMITTEE MAY INVITE ANY MEMBERS OF THE UNITED NATIONS, IN PARTICULAR ANY NON-PERMANENT MEMBERS OF THE SECURITY COUNCIL OR ANY STATES PROVIDING CONTINGENTS OR FACILITIES (BEGIN BRACKET) AND THE SECRETARY-GENERAL OR HIS AUTHORIZED REPRESENTATIVE (END BRACKET) TO ASSOCIATE THEMSELVES WITH IT.

WHEN THE EFFICIENT DISCHARGE OF THE COMMITTEE'S RESPONSIBILITIES  
REQUIRES THEIR PARTICIPATION IN ITS WORK.

ARTICLE 6

UNDER THE AUTHORITY OF THE SECURITY COUNCIL, THE SECRETARY-  
GENERAL, (BEGIN BRACKET) BY VIRTUE OF THE POWERS WHICH MAY BE  
CONFERRED ON HIM BY THE SECURITY COUNCIL, AND IN HIS CAPACITY AS  
THE CHIEF ADMINISTRATIVE OFFICER OF THE ORGANIZATION PURSUANT  
TO ARTICLE 97 OF THE CHARTER OF THE UNITED NATIONS(END BRACKET)  
(BEGIN BRACKET) IS IN CHARGE OF THE IMPLEMTNATION OF(END BRACKET)  
(BEGIN BRACKET) SHALL DIRECT (END BRACKET) PEACE-KEEPING  
OPERATIONS (BEGIN BRACKET) RECEIVING GUIDANCE FROM A SUBSIDIARY  
BODY OF THE SECURITY COUNCIL(END BRACKET). THE SECRETARY-  
GENERAL SHALL CONTRIBUTE WITH ALL MEANS AT HIS DISPOSAL  
TO GIVING EFFECT TO RELEVANT DECISIONS OF THE SECURITY COUNCIL.

ARTICLE 7

THE SECURITY COUNCIL SHALL RECEIVE REPORTS, AND MAY REQUEST  
SPECIAL REPORTS FROM, ISSUE INSTRUCTIONS TO AND RECEIVE  
RECOMMENDATIONS FROM THE SECRETARY GENERAL AND ANY SUBSIDIARY  
BODY WHICH MAY BE ESTABLISHED.

ARTICLE 8

THE COMMAND IN THE FIELD WILL BE EXERCISED BY A FORCE COMMANDER  
APPOINTED (BEGIN BRACKET) ON THE PROPOSAL OF THE SECRETARY-  
GENERAL (END BRACKET) (BEGIN BRACKET) BY THE SECRETARY-GENERAL  
(END BRACKET) (BEGIN BRACKET) WITH THE CONSENT OF(END BRACKET)  
(BEGIN BRACKET) BY(END BRACKET) THE SECURITY COUNCIL. THE  
COMMANDER WILL BE GIVEN NECESSARY AUTHORITY OVER ALL ELEMENTS OF  
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THE OPERATION WITHIN THE TERMS OF THE MANDATE AND SPECIFIC  
DIRECTIVES. THE COMMANDER SHALL CO-OPERATE (BEGIN BRACKET)  
THROUGH APPROPRIATE CHANNELS(END BRACKET) WITH THE SUBSIDIARY  
BODY WHICH THE SECURITY COUNCIL MAY ESTABLISH TO ASSIST THE  
COUNCIL.

ARTICLE 9

IT IS ESSENTIAL THAT THROUGHOUT THE CONDUCT OF A UNITED NATIONS  
PEACE-KEEPING OPERATION IT SHALL HAVE THE FULL CONFIDENCE AND  
BACKING OF THE SECURITY COUNCIL. SUCH FORCES MUST OPERATE  
WITH THE FULL CO-OPERATION OF THE PARTIES CONCERNED,  
PARTICULARLY OF THE GOVERNMENT OF THE HOST COUNTRY, DUE ACCOUNT  
BEING TAKEN OF ITS SOVEREIGNTY. SUCH FORCES MUST FUNCTION AS  
INTEGRATED AND EFFICIENT MILITARY UNITS AND ACT WITH COMPLETE  
OBJECTIVITY. IT IS ALSO OF THE UTMOST IMPORTANCE TO  
SECURE FREEDOM OF MOVEMENT FOR EACH UNIT IRRESPECTIVE  
OF ITS NATIONALITY.

ARTICLE 10

IN THE COMPOSITION OF A PEACE-KEEPING FORCE ESTABLISHED UNDER THE  
AUTHORITY OF THE SECURITY COUNCIL EQUITABLE GEOGRAPHICAL  
BALANCE SHALL BE ONE OF THE GUIDING PRINCIPLES (BEGIN BRACKET)  
ALONG WITH THE NECESSITY OF SECURING THE HIGHEST STANDARDS OF  
EFFICIENCY, COMPETENCE AND INTEGRITY (END BRACKET). (BEGIN  
BRACKET) COUNTRIES CONTRIBUTING CONTINGENTS TO PEACE-KEEPING  
OPERATIONS MUST ENSURE THAT SUCH CONTINGENTS HAVE THE HIGHEST  
STANDARDS OF EFFICIENCY, COMPETENCE AND INTEGRITY(END BRACKET).  
(BEGIN BRACKET) THE SELECTION AND REPLACEMENT OF THE NATIONAL  
CONTINGENTS SHALL BE (BEGIN BRACKET) UNDERTAKEN(END BRACKET) BY  
THE (BEGIN BRACKET) SECRETARY-GENERAL WITH THE (END BRACKET)  
AGREEMENT OF THE SECURITY COUNCIL AND THE HOST COUNTRY(END  
BRACKET).

ARTICLE 11

THE COSTS OF PEACE-KEEPING OPERATIONS AUTHORIZED BY THE SECURITY  
COUNCIL SHALL BE CONSIDERED AS EXPENSES OF THE ORGANIZATION, TO BE  
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BORNE BY THE MEMBERS IN ACCORDANCE WITH ARTICLE 17, PARAGRAPH 2,  
OF THE CHARTER OF THE UNITED NATIONS (BEGIN BRACKET) OR ANY  
OTHER METHODS OF FINANCING WHICH THE SECURITY COUNCIL MAY  
DECIDE (END BRACKET) (BEGIN BRACKET) UNLESS DECIDED OTHER-  
WISE (END BRACKET).

ARTICLE 12

TO ENSURE THE STATE OF READINESS OF THE UNITED NATIONS FOR PROMPT  
AND EFFECTIVE ESTABLISHMENT OF PEACE-KEEPING OPERATIONS, THE  
SECURITY COUNCIL IS RECOMMENDED TO TAKE STEPS TO FACILITATE THE  
CONCLUSION OF (BEGIN BRACKET) THE AGREEMENTS ENVISAGED IN  
ARTICLE 43 OF THE CHARTER OR OF OTHER ARRANGEMENTS(END BRACKET)  
(BEGIN BRACKET) PREPAREDNESS ARRANGEMENTS(END BRACKET)  
IN ORDER FULLY TO DEVELOP ITS PEACE-KEEPING CAPACITY. SUCH  
(BEGIN BRACKET) AGREEMENTS (END BRACKET) (BEGIN BRACKET)  
ARRANGEMENTS (END BRACKET) MAY PROVIDE THAT SPECIFIC CONTINGENTS  
CAN BE EMPLOYED BY THE COUNCIL IN A PARTICULAR OPERATION WITH  
THE CONSENT OF THE RESPECTIVE GOVERNMENTS.

ARTICLE 13

TO ENSURE THE EFFECTIVE FUNCTIONING OF THE OPERATION, UNITED  
NATIONS FORCES WILL ENJOY PRIVILEGES AND IMMUNITIES IN  
ACCORDANCE WITH LEGAL ARRANGEMENTS ON THE STATUS OF FORCES  
TO BE DECIDED BY AGREEMENT BETWEEN THE UNITED NATIONS  
AND THE HOST COUNTRY.

UNQUOTE

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P 182338Z MAY 77

FM USMISSION USUN NEW YORK  
TO SECSTATE WASHDC PRIORITY 3667

C O N F I D E N T I A L SECTION 2 OF 3 USUN 1576

3. WITH THE BENEFIT OF PRELIMINARY EXCHANGES ON  
DRAFT PROPOSALS WITH UN SECRETARIAT OFFICIALS, SHERRY AND  
JONAH, UK MISSION, AND IO/UNP, SEVERAL SUGGESTIONS  
ARE PUT FORWARD FOR USE BY US AND UK DELS WHEN WG  
RESUMES LATER THIS MONTH.

--ON ARTICLE 5 BRACKETED PHRASE IS POTENTIAL  
BARGAINING CHIP FOR US AND PROBABLY FOR SOVIET DEL  
AS WELL. WE DOUBT IF SOVIETS HOLD STRONG POSITION  
ON THIS POINT SINCE SYG OR HIS REP COULD ATTEND  
MILITARY STAFF COMMITTEE MEETINGS IN ANY EVENT.  
SHOULD US DEL FOR TACTICAL REASONS AGREE TO DELETING  
THIS PHRASE, WE WOULD INSIST RECORD BE CLEAR THAT  
SYG MAY ALWAYS ATTEND MILITARY STAFF COMMITTEE  
MEETINGS WHEN HE SO DESIRES.

--ARTICLE 6 REPRESENTS KEY ARTICLE FOR WESTERN  
DELS AND WE INTEND TO TAKE FIRM POSITION. IN FIRST  
BRACKETED PHRASE US DEL WOULD PROPOSE SEVERAL FORMU-  
LATIONS: "BY VIRTUE OF THE POWERS VESTED IN HIM BY  
THE UN CHARTER AND THE POWERS WHICH MAY BE CONFERRED  
ON HIM BY THE SC," SECONDLY, "BY VIRTUE OF THE POWERS  
VESTED IN HIM BY CHAPTER 15 OF THE UN CHARTER AND  
THE POWERS, ETC.," THIRDLY, "BY VIRTUE OF THE POWERS  
VESTED IN HIM PURSUANT TO ARTICLES 97 AND 98 OF THE UN  
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CHARTER AND THOSE POWERS, ETC.," FOURTHLY IF IT SEEMS ALL OTHER  
QUESTIONS TO THE GUIDELINES WELL ALONG WAY TO  
SOLUTION TO REVERSE THE ORDER OF THE PHRASES IN OPTIONS ONE AND

TWO, I.E., "BY VIRTUE OF THE POWERS WHICH MAY BE CONFERRED ON HIM BY SECURITY COUNCIL AND THOSE POWERS VESTED IN HIM BY, ETC." ARTICLE 6 SECOND BRACKETED PHRASE, WE WOULD REAFFIRM AS US POSITION "SHALL DIRECT," BUT RETAIN AS FALL-BACK POSITIONS "DIRECTS" AND "IS RESPONSIBLE FOR THE DIRECTION OF" IF NECESSARY IN BARGAINING PROCESS. "IS IN CHARGE OF THE IMPLEMENTATION OF" IS NOT ACCEPTABLE TO US. THIRD BRACKETED PHRASE WAS LAST MINUTE SOVIET INSERTION, WHICH PRESUMABLY SOVIET DEL WILL DROP AT SOME STRATEGIC POINT AS TRADE-OFF.

--ARTICLE 7 HAS BEEN ACCEPTED AS A DRAFT FORMULA WITH USUAL CAVEATS AS RECORDED IN REPORT OF THE SPECIAL COMMITTEE.

--ARTICLE 8, FIRST BRACKETED SET OF PHRASES, WHILE US CAN PROBABLY ACCEPT "ON THE PROPOSAL OF THE SYG WITH THE CONSENT OF THE SECURITY COUNCIL," WE WOULD BE PREPARED TO CONCEDE (AND WITH APPROPRIATE FANFARE) THIS PHRASE ONLY WITH RECIPROCAL CONCESSION FROM THE SOVIETS AND PERHAPS NONALIGNED THAT FINAL SENTENCE TO THIS ARTICLE BE ADDED: "THE COMMANDER WILL BE RESPONSIBLE TO THE SECRETARY-GENERAL." IN ADDITION FINAL BRACKETED PHRASE SHOULD REFLECT US PREFERENCE FOR "THROUGH THE SYG," OR IF THERE IS POSITIVE MOVEMENT BY THE SOVIETS ON OTHER ASPECTS, THE LESS DESIRABLE, "THE COMMANDER WILL COOPERATE WHEN NECESSARY THROUGH THE APPROPRIATE CHANNELS," ETC.

--ARTICLE 9, UK OR CANADA WOULD REQUEST INSERTION OF SENTENCE "IT IS ESSENTIAL THAT ALL MATTERS WHICH MAY AFFECT THE NATURE OR THE CONTINUED EFFECTIVE FUNCTIONING OF THE FORCE WILL BE REFERRED TO THE COUNCIL FOR ITS DECISION." AFTER WORD "SOVEREIGNTY." WITHOUT THE ADDITION OF THIS SENTENCE, THEN US DEL WOULD INSIST THAT PHRASE BEGINNING "PARTICULARLY OF THE GOVERNMENT OF THE HOST COUNTRY, ETC. TO SOVEREIGNTY" BE BRACKETED. FURTHER AMENDMENTS TO ARTICLE 9 WOULD BE INCLUDING "FREEDOM OF COMMUNICATIONS" CONFIDENTIAL

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FOLLOWING "FREEDOM OF MOVEMENT" IN THE LAST SENTENCE; AND "UNDER THE EXCLUSIVE COMMAND OF THE UNITED NATIONS" IN THE PENULTIMATE SENTENCE AFTER "MILITARY UNITS."

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P 182338Z MAY 77

FM USMISSION USUN NEW YORK  
TO SECSTATE WASHDC PRIORITY 3668

C O N F I D E N T I A L SECTION 3 OF 3 USUN 1576

--ARTICLE 10 IN FIRST BRACKETED PHRASE, WE COULD PROPOSE IF NECESSARY MAKING AMENDMENT AS CONCESSION TO READ: "ALONG WITH THE NECESSITY OF SECURING THE OVERALL EFFICIENCY OF THE FORCE," DROPPING THE WORDS "COMPETENCE AND INTEGRITY," WHICH ARE REFLECTED IN ARTICLE 9. SECOND BRACKETED PHRASE WHILE HARMLESS IS NOT RELEVANT AND WE WOULD AGREE TO ITS DELETION BY WAY OF FURTHER CONCESSION. FINAL SENTENCE WOULD BEST READ FOR US AS "THE SELECTION AND REPLACEMENT OF THE NATIONAL CONTINGENTS SHALL BE UNDERTAKEN BY THE SECRETARY-GENERAL WITH THE AGREEMENT OF THE SECURITY COUNCIL AND IN CONSULTATION WITH THE PARTIES CONCERNED." OTHER FORMULATIONS OF LESSER DESIRABILITY FOR US WOULD BE "AND AFTER FULL CONSULTATION WITH THE HOST COUNTRY AND THE PARTIES CONCERNED," "AND AFTER FULL CONSULTATION WITH THE HOST COUNTRY." THE FINAL FORMULATION APPROACHES THE MARGIN OF UNACCEPTABILITY FOR US AND PROBABLY UK DELEGATION. WITH REGARD TO REFERENCES TO "HOST COUNTRY," WE HAVE SUGGESTED TO OTHERS THAT THEY APPROACH THE EGYPTIAN MISSION IN AN EFFORT TO BRING AROUND THE EGYPTIANS TO A MORE ACCEPTABLE POSITION.

--ARTICLE 11 FINAL PHRASES IN BRACKETS, US PREFERENCE CONTINUES TO REMAIN WITH NONALIGNED FOR "UNLESS DECIDED OTHERWISE." SOVIET DEL PREFERS OTHER PHRASE; THUS, NONALIGNED AND SOVIETS CAN TAKE LEADS IN THIS STRUGGLE. WE WOULD WANT TO RECONSIDER WHETHER US CONFIDENTIAL

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COULD ACCEPT "OR ANY OTHER METHODS OF FINANCING WHICH THE SECURITY COUNCIL MAY RECOMMEND" WHICH THE JAPANESE DEL PUT FORWARD.

--ARTICLE 12, US DEL COULD SUGGEST REWORDING FIRST SENTENCE "TO ENSURE THE STATE OF READINESS OF THE UNITED NATIONS FOR PROMPT AND EFFECTIVE ESTABLISHMENT OF PEACEKEEPING OPERATIONS, CONSIDERATION SHOULD BE GIVEN TO TAKE STEPS," ETC. THIS WOULD REPLACE "THE SECURITY COUNCIL IS RECOMMENDED" WHICH IS AWKWARD AND VERGES ON NON-ENGLISH. PROBLEM

OF BRACKETED PHRASES COULD BE RESOLVED WITH WORDING

"THE AGREEMENTS ENVISAGED IN ARTICLE 43 OF THE  
CHARTER OR OF OTHER PREPAREDNESS ARRANGEMENTS."

--ARTICLE 13 ENJOYS VIRTUAL AGREEMENT BY ALL  
EXCEPTING THE EGYPTIAN DEL WHICH RESERVES ITS  
POSITION.

4. PEACEKEEPING WORKING GROUP IS TENTATIVELY  
SCHEDULED TO MEET AGAIN ON MAY 31. MEANWHILE THE  
NONALIGNED MEMBERS OF THE WG PLAN TO MEET EARLY  
NEXT WEEK AND THE SOVIET DEL SUGGESTED TO UK DEL  
THAT THE SC PERM MEMBERS (US, UK, FRANCE AND USSR)  
MIGHT GET TOGETHER INDEPENDENTLY TO DISCUSS QUIDELINE  
DRAFT FORMULAS. UK DEL IS IN FAVOR, AS ARE WE, AND WILL BE  
BACK IN TOUCH AFTER CONTACTING FRENCH DEL AND USSR AGAIN.

LEONARD

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## Message Attributes

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**TAGS:** PFOR, MARR, PORG, UR, UNSC  
**To:** STATE  
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